

**MEETING WITH COUNTY & CITY VILLAGES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 113
TUESDAY, SEPTEMBER 13, 2005
3:30 P.M.**

Commissioners Present: Larry Hudkins, Chair
Deb Schorr, Vice Chair
Bernie Heier
Ray Stevens
Bob Workman

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Roger Figard, City Engineer
Don Thomas, County Engineer
Joe Rupp, Deputy City Attorney
Kristy Mundt, Deputy County Attorney
Melissa Koci, County Clerk's Office

Village Clerks & Boards Susan Seeman, Bennet Village Board
Patricia Rule, Bennet Village Clerk
Don Murray, Bennet Village Board
Becky Vandenberg, S.I.D. #6
Bill Edwards, Denton Village Board
Garold Judson, Sprague Village Board
Gene Keller, Sprague Village Board
Eric Johnson, Panama Village Board Chair
Ron Melbye, Waverly Mayor
Bruce Forbes, Waverly City Councilman
Doug Rix, Waverly City Clerk
Nadine Link, Malcolm City Clerk

The meeting was called to order by Lancaster County Board Chairman Larry Hudkins at 3:32 p.m.

AGENDA ITEM

- 1 Overview of the Proposed Joint Public Agency - Don Thomas, County Engineer; Roger Figard, City Engineer**
- 2 JPA Purposes**
 - A. Rural to Urban Transition for Streets**

Don Thomas, County Engineer, appeared and indicated there has been a proposal to form a Joint Public Agency to fund the Rural to Urban Transition for Streets (RUTS) Program for the purpose of funding certain road projects. Thomas said part of the process is to find a better way for the City to blend in to the County as they annex their way out, spend tax dollars more wisely and be able to keep the road open when future construction occurs. He said the intention is for the culverts to be of concrete, hydraulic design sized according to City's standards and a road would be graded that would have a nearly 100 foot wide top on it, or as close as practical to handle a future four-lane facility.

Hudkins noted the Board is in favor of RUTS and the concept of it.

B. East Beltway

Roger Figard, City Engineer, appeared and indicated one of the huge costs in the road program is the right-of-way costs and paying damages to the abutting properties. Figard noted the proposed agency's goal would be to fund protection of an eastern corridor for a future beltway and to fund the Rural to Urban Transition for Streets program, which builds county roads to city standards in anticipation of future widening.

Figard noted because of State Legislation, local authorities now have the authority to file corridor protection on beltways. He said if the corridor protection is filed and someone comes in to build or do something with the property, the County has 90 days to tell the person if they are going to buy the right-of-way or they can go ahead and do whatever with the property.

Stevens said the south beltway has been designated and adopted by the State, however the east beltway has to be designated by the City and the County.

Kristy Mundt, Deputy County Attorney, appeared and reported if the County wants to fund the RUTS Program and the East Beltway Protection, it can be done through County property taxes, but one of the concerns was it would go against the County's lid. She said one of the other options was the JPA, which does create other funding sources such as a wheel tax.

Stevens noted he favored the concept of the JPA because it gives the County the ability to apply taxes back and forth from one taxing entity to another and it also gives an opportunity to set up a structure.

Heier believes the JPA is a funding mechanism only and his concern is in what areas of the County it will be disbursed and wondered if it is only in the 3-mile jurisdiction.

Thomas said it is all in the 3-mile jurisdiction.

Figard said the 3-mile is strictly in the RUTS Design Standard agreement and the JPA document would have 2 very specific stated purposes with one being an implementation of RUTS, along with the design standards and the second would be the Beltway Corridor, which would make it eligible.

Heier does not agree with the wheel tax funding because you are only allowed one house per 20 acres unless the County Board or City changes that law.

Figard said in the next highway bill there was an earmark of \$500,000 for the East Beltway Corridor which can be used for engineering to help set right-of-way limits. He believes there needs to be a dedicated source of revenue coming in or the City and County have the potential of losing the East Beltway Corridor.

Mayor Colleen Seng appeared and said Lincoln is going to keep growing and she hopes the County and City will continue working together.

Ron Melbye, Waverly Mayor, appeared and said he believes that because of the proposal at 84th & Adams for a Walmart and 1000's of new homes, the County needs to move the corridor so it will be far enough out so that the ground won't be very expensive and to where nobody has built houses in the corridor.

Workman said the East Beltway is cut in stone, there were millions of dollars spent on studies along with hundreds of man hours and the corridor was designated and it ended up on 128th Street. He also said the wheel tax is just a proposal at this time.

Melbye noted the corridor has no protection and at this point no money has been spent on any ground or protection.

Workman also noted the County is afraid they will be supplying funding for City roads, however the County Engineer has a \$12 million budget and 85% of the budget comes from the City of Lincoln residents.

Hudkins said almost every rural resident does pay 1.5% City sales tax and there is no basis for commerce in most of the small towns and almost everything that is purchased, is purchased in Lincoln. He said on a per capita basis, \$5 million is collected outside the city limits for City sales tax.

Figard said an offer has been made by the City to increase the City wheel tax by \$5, which would make up the City's difference for roads. He also said the East Beltway is not a bypass, but is part of the long range transportation system. It is in the Comprehensive Plan and has been designated in the long range plan, however it has not been protected.

Don Murray, Bennet Village Board, said he has worked in Lincoln for 34 years and out of all the miles he drove, only 6 blocks of it was City streets and the rest of it was Federal Highway.

Stevens noted one of the advantages of having a JPA is that it would give the County an opportunity to designate roads projects. He also said the Board cut the Engineer's paving projects this year and they are only paving a ½ mile. They have been paving 4 miles a year in the past. Stevens said if there was a funding mechanism and a way of generating some revenue, whether it be a property tax or a fuel tax, more road projects could be done.

Becky Vandenberg, SID #6, said the Village of Emerald would not have a problem paying the wheel tax as long as Emerald could get a better well for water or be annexed into the City so that the water problem can be taken care of.

Hudkins liked the idea of adding a fuel tax instead of a wheel tax.

Patricia Rule, Bennet Village Clerk, appeared and indicated Bennet has wastewater issues.

Nadine Link, Malcolm City Clerk, appeared and noted Malcolm needs to upgrade the Sewer Treatment Center. There are three or four developments that want to build around Malcolm but can't because of low water pressure, a sewer system that can't keep up when school is in session and the downtown roads are still gravel.

Hudkins noted some of the small towns have too high of a per capita income to qualify for any grants.

Bill Edwards, Denton Village Board, wondered what would be in it for Denton if they had to start paying a wheel tax of \$49.

C. Joint County-Village Road Projects

Kerry Eagan, Chief Administrative Officer, appeared and noted Item 2 on the agenda is Joint Public Agency purposes and it needs to be emphasized that the resolution presently before the Board on the 27th of September, states the two purposes of the JPA are for RUTS and for the designed acquisition of land for the East Beltway. He said on the agenda is a possible third item, which is Joint County-Village Road Projects, and when they looked at the preliminary figures on what a wheel tax would raise in the County, it was about \$1.3 million from the rural residents and \$400,000 from the Villages. Eagan noted it would take about \$1.3 million from the County to fund the two purposes that are in the resolution which would free up \$400,000 a year paid by people inside the villages that could possibly be used for other road purposes.

Doug Rix, Waverly City Administrator/Clerk, appeared and asked if the JPA would still be considered if it weren't for the East Beltway.

Stevens said yes for the RUTS program.

Rix said as most of the towns and villages within Lancaster County continue to grow with annexations and population, there are less County roads and he wondered why the County needs more money.

Hudkins noted the County Engineer is supposed to pave at least 4 miles a year and the last few years they have only been able to pave ½ mile because there is no money.

Rix suggested a gas tax instead of a wheel tax.

Thomas said he is looking for the gas tax increase to pay for roads because Lincoln and Lancaster County have not had an increase in 20 years.

5 ADJOURNMENT

There being no further business, the meeting was adjourned at 5:10 p.m.

Bruce Medcalf
Lancaster County Clerk